

THE HONORABLE KYMBERLY K. EVANSON

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

SUSAN ZAWACKY, individually and
as Personal Representative of the
Estate of **JENOAH DONALD**,
deceased, et al.,

Plaintiffs,

v.

CLARK COUNTY et al.

Defendants.

No. 3:22-CV-05101 KKE

**ORDER APPROVING
MINOR SETTLEMENT**

1 **THIS MATTER** comes before the Court on Plaintiffs' Unopposed Petition for
2 Approval of Minor Settlement, pursuant to LCivR 17(c) and Washington Special
3 Proceedings Rule 98.16W. Dkt. No. 163. The Court, having considered the Petition,
4 the report of the Settlement Guardian *ad Litem*, and the record in this case, **FINDS:**

5 1. The settlement reached on April 14, 2024, in the amount of \$3,500,000
6 is reasonable and appropriate given the facts, circumstances, and issues in the case.

7 2. Attorney contingency fees of one-third of gross recovery per the fee
8 agreement are reasonable and appropriate given the facts, circumstances, issues in

1 the case, and the work, experience, and expertise of the attorneys as reflected in the
2 record.

3 3. Costs of \$66,304.76 are also reasonable and appropriate given the facts
4 and circumstances of the case, and an additional \$3,370 in SGAL fees thus far are
5 also reasonable and appropriate.

6 4. A total amount of \$2,263,259.24 allocated to clients as \$565,814.81 each
7 for Susan Zawacky, minor I.D., minor S.W., and minor C.K., is reasonable and
8 appropriate given the facts and circumstances of the case.

9 5. Settlement Guardian *ad Litem* recommends approval of the proposed
10 settlement.

11 6. The proposed settlement is in the best interests of minor I.D., minor
12 S.W., and minor C.K. and is fair and reasonable given the facts, circumstances, and
13 issues in the case.

14 **NOW, THEREFORE, IT IS HEREBY ORDERED:**

15 1. The Court approves the proposed settlement and allocation.

16 2. Plaintiffs are authorized to enter into a binding Settlement Agreement
17 and Release, which will release claims against the Defendants.

18 3. SGAL will file a supplemental report regarding disbursement
19 of the minors' funds.

20 DATED this 4th day of June, 2025.

21 

22 Kymberly K. Evanson
23 United States District Judge